

ORDINANCE 2023-29

AN ORDINANCE AMENDING CHAPTER 91 “FEES AND LICENSES”, ARTICLE 3, “RECREATION PROGRAMS” TO REVISE RATES, CLARIFY PAYMENT PROCESS AND ESTABLISH NONRESIDENT RATES AND CANCELLATION POLICIES

WHEREAS, on March 21, 2022, the Borough of Kenilworth Municipal Council adopted Ordinance 2022-20, amending its Schedule of Fees and its Uniform Construction Code Fees; and

WHEREAS, on March 1, 2023, the Borough of Kenilworth Municipal Council adopted Ordinance 2023-2, further amending its Schedule of Fees and its Uniform Construction Code Fees; and

WHEREAS, on April 5, 2023, the Borough of Kenilworth Municipal Council adopted Ordinance 2023-9, amending its Schedule of Fees and its Uniform Construction Code Fees; and

WHEREAS, the Borough of Kenilworth Municipal Council finds that it is in the best interests of the Borough and its citizenry to amend and modify such sections of its fees as it relates to the participation in Borough Recreation Programs; and

WHEREAS, pursuant to N.J.S.A. 40:48-1, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this State or Federal Government, as it may deem necessary and proper for the good of government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Kenilworth in the County of Union, New Jersey as follows:

SECTION 1. The foregoing whereas clause is incorporated herein by reference and made a part hereof.

SECTION 2. Chapter 91, “Fees and Licenses,” Article III, “Recreation Programs,” shall be amended as follows.

Note: Additions are shown in bold and underlined and deletions are shown as ~~strikethrough~~.

§ 91-6 Fees for participation in programs.
[Amended 2-11-2009 by Ord. No. 2009-02; 7-12-2017 by Ord. No. 2017-06; 4-5-2023 Ord. No. 2023-09]

The Recreation Committee of the Borough of Kenilworth shall charge fees per season for each participant in the following program(s):

- A. Three dollars for every person under the age of 18.
- B. Five dollars for every person 18 years or older.
- C. Basketball:
 - (1) Kindergarten through 2nd grade clinic: \$50 per child per season.
 - (2) 3rd grade through 5th grade instruction: \$75 per child per season.
 - (3) 6th grade through 8th grade instruction: \$75 per child per season.
 - (4) 9th grade through 10th grade instruction: \$75 per child per season. [Added 11-7-2018 by Ord. No. 2018-17]
- D. Cheer clinic: \$20 per child per season.
- E. Softball:

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- (1) Kindergarten through 2nd grade clinic: \$50 per child per season.
 - (2) 3rd grade through 5th grade instruction: \$75 per child per season.
 - (3) 6th grade through 8th grade instruction: \$75 per child per season.
- F. Flag football: \$25 per person per season.
- G. Arts and crafts at the rate of \$3 per craft up to three and then \$2 thereafter.
- H. Summer camp, kindergarten through 7th grade:

(1) Day camp- Residents of Kenilworth:

- a. \$75 for a calendar week, Monday through Friday.
- b. **\$45 for no more than three weekdays in a calendar week**

(2) Day camp- Non-Residents of Kenilworth: \$150 per week, weekdays only (Monday through Friday).

~~(2) Day camp: \$45 for no more than three days in a calendar week~~

(3) After care- Residents of Kenilworth:

- a. \$40 for ~~four or five days~~ in a calendar week (no sibling discount).
- b. **\$24 for up to three days in a calendar week (weekdays only)(no sibling discount).**

(4) After care- Non-Residents of Kenilworth: \$80 for a calendar week (weekdays only)(no sibling discount).

~~(4) After care: \$24 for up to three days in a calendar week (no sibling discount).~~

If more than one child from the same family or resides in the same home attends day camp for the entire week **(weekdays only)**, then each child shall be entitled to a reduction of \$10.

- I. Recreational night programs: \$5 per night.
- J. Homework club, 3rd grade to 8th grade: \$200 per month or any portion thereof of the month.
- K. Middle school sports: soccer, baseball, softball, basketball: **[Amended 3-2-2022 by Ord. No. 2022-02]**
 - (1) 6th grade to 8th grade instruction: \$200 per person, per season.
- L. Middle School Track and Field
 - (1) 6tr, grade to 8th grade instruction: \$200 per person per season **[Amended 4-5-2023 by Ord. No. 2023-09]**

§ 91-7 Promulgation of rules.

The Recreation Director, with the advice of the Recreation Committee, may promulgate rules not inconsistent with this article as may be approved by the governing body of the Borough of Kenilworth to provide for the collection of said fees.

§ 91-8 Collection and payment of fees to Treasurer.

All payments must be made directly to the finance department of the Borough or through the designated links on the Borough’s official website.

§ 91-9 Cancellations/Refunds

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A. All requests from participants to withdraw their participation in any recreation program MUST be done in writing to the Recreation Director.

B. Only participants who submit a withdrawal notification five (5) days prior to the start date of the program are eligible to receive a full refund of the registration fee less an administrative fee of \$10. The administrative fee shall not apply to Recreation Night Programs as set forth in § 91-6 (I) above.

C. Participants who submit a withdrawal notification less than five (5) days prior to the state date of the program may be refunded up to 50% of registration fees paid, only if the reason is due to a death or a medical condition of the participant or his/her or immediate family member with proof of the same and subject to the sole discretion of the Governing Body.

SECTION 4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon final passage and publication according to law.

Veto
Linda Karlovitch, Mayor

INTRODUCTION					COUNCILPERSON					FINAL ADOPTION					
Moved	Sec.	Aye	Nay	NP						Moved	Sec.	Aye	Nay	Abs.	NP
		X			JOSEPH FINISTRELLA						X	X			
X		X			WILLIAM MAURO					X		X			
				X	SCOTT PENTZ							X			
	X	X			FRED PUGLIESE							X			
			X		SAVINO SCORESE							X			
			X		JOHN ZIMMERMAN							X			
Introduced: December 6, 2023					I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.										
Final Adoption: December 27, 2023					Angela Lazzari Angela Lazzari, Borough Clerk										

January 29, 2023

Angela,

This letter is to notice you that I am vetoing ordinance 2023-29 that was passed on December 27, 2023.

The reason for this is that there is no reason to raise the fee for non residents. The program is self sustaining and there is a considerable surplus every year. With these funds remaining in a trust fund that cannot be used by the Borough for anything other than summer camp. The fee increase hurts families. There are many children that attend summer camp that are enrolled in our private school in Kenilworth and are a part of our community. We also have a choice program where out of town kids attend our school district.

I do not believe they should be required to pay double to attend summer camp.

Very Respectfully,
Mayor Karlovitch

A handwritten signature in cursive script, appearing to read "Danda Karlovitch".